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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Marge Roukema
Member, U.S. House of Representatives
1200 East Ridgewood Avenue
Ridgewood, New Jersey 07450

Dear Congresswoman Roukema:

This is in response to your letter of May 14, 1993, in which you inquired on behalf of your constituent, Mr. John C. Kicks, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992).

Congressional

DUE: 6-2-93

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
12/31/99

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9302190	05/25/93	05/14/93	06/07/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congresswoman	Marge Roukema	BC

CONSTITUENT'S NAME	SUBJECT
John C Kicks	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/cm 5-26			

DATE	DATE	DATE	DATE
05/25/93			

REMARKS:

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PRIVATE RADIO BUREAU

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PRM 92-235 2190

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POSTSECONDARY EDUCATION

SELECT COMMITTEE ON HUNGER

Congress of the United States
House of Representatives
Washington, DC 20515-3005

May 14, 1993

Ms. Lauren Belvin
Director
Office of Legislative Affairs
Federal Communications Commission
1919 'M' Street
Washington, DC 20554

Dear Ms. Belvin:

I am again writing to you on behalf of Mr. John C. Kicks of Wyckoff, New Jersey, regarding his concerns over the proposed rule making which would affect model aircraft enthusiasts.

We recently received a letter form Mr. Kicks, in which he raises several specific concerns in response to the FCC's reply to our previous correspondence with regard to this issue. I have enclosed a copy of Mr. Kicks' correspondence in order to provide you with further details. Again, any assistance you could offer toward addressing his concerns would be greatly appreciated.

Thank you for your previous assistance in this matter. Please feel free to contact us in Congresswoman Roukema's Northeast Office if you have any further questions or comments regarding Mr. Kicks' concerns.

Sincerely,

David Zuidema
Project Coordinator

enclosure

John C. Kicks
408 Woodbury Drive
Wyckoff, NJ 07481

April 28 1993

Congresswoman Marge Roukema,
1200 East Ridgewood Avenue,
Ridgewood, NJ 07450.

Dear Congresswoman Roukema,

Regarding: FCC(NPRM-PR-Docket 92-235).

Thank you for looking into this proposed new rule. However, the answer you got from the FCC does not really address the problem.

The basic premis of the new rule is as follows:

The restructuring inserts 2 new frequencies between those assigned for modelling use and commercial users. This means that a transmitter with greater power than the Radio Control model transmitters could be only 2.5khz separated from a large number of RC Assigned 72 and 75Mhz frequencies.

Not only are these new frequencies very close to the RC frequencies, they are also categorized as "Mobile', so they could be in use anywhere. (The Q&A document conflicts with the proposed rule definition).

What is more important and is definitely DANGEROUS, is that the new technical specifications have frequency tolerances defined by the FCC, which could place a communications signal DIRECTLY ON THE SAME FREQUENCY AS THE RC FREQUENCY!

The question and answer paper you obtained from the FCC, seems to be written with the Hobbyist regarded as second class citizens, definitely subrogated to the commercial users.

The second question and answer states that the hobbyists are not licenced-this is true, but the licensing requirement was eliminated by FCC, not the hobbyists.

The FCC also states that they cannot guarantee that there would not be interference- that the uses of RC Aircraft fliers are normally away from the fixed uses cited, ie Cranes, factories, construction sites. Well, we HAVE to fly in areas in close proximity to this type of user, due to available flying sites. In Wyckoff, for example, we used to fly OVER the factories on Main Street, which are adjacent to the field. And there WAS interference on occasion.

I suggest you look at the location of Overpeck Park, a Bergen County authorized area for RC use. This is sandwiched between I-95, RT 80 & RT 1-9 in Leonia. It is close to factories, traffic and homes.

I hate to think of the possibilities of interference if this location and an out of control aircraft of significant size & weight. The rules of safety as applied by the Academy of Model Aeronautics are strictly enforced and monitored by the clubs authorized to use the field, but even though the FCC seems to dismiss the possibility of interference, crystals which control the transmitted frequencies do drift. Just listen to your radio sometime!

One other point: I'm told that there is also a proposed **REDUCTION of the number of frequencies assigned to model aircraft from 50 to 19, when this new proposal takes effect.**

In conclusion, I feel that the pressure from the commercial sector has prevailed, but hope you can get a reasonable, SAFE, resolution considered.

The attitude adopted by the FCC seems to be typically that of bureaucrats-"Dont bother me, my mind is made up, and you cannot possibly understand the situation anyway"

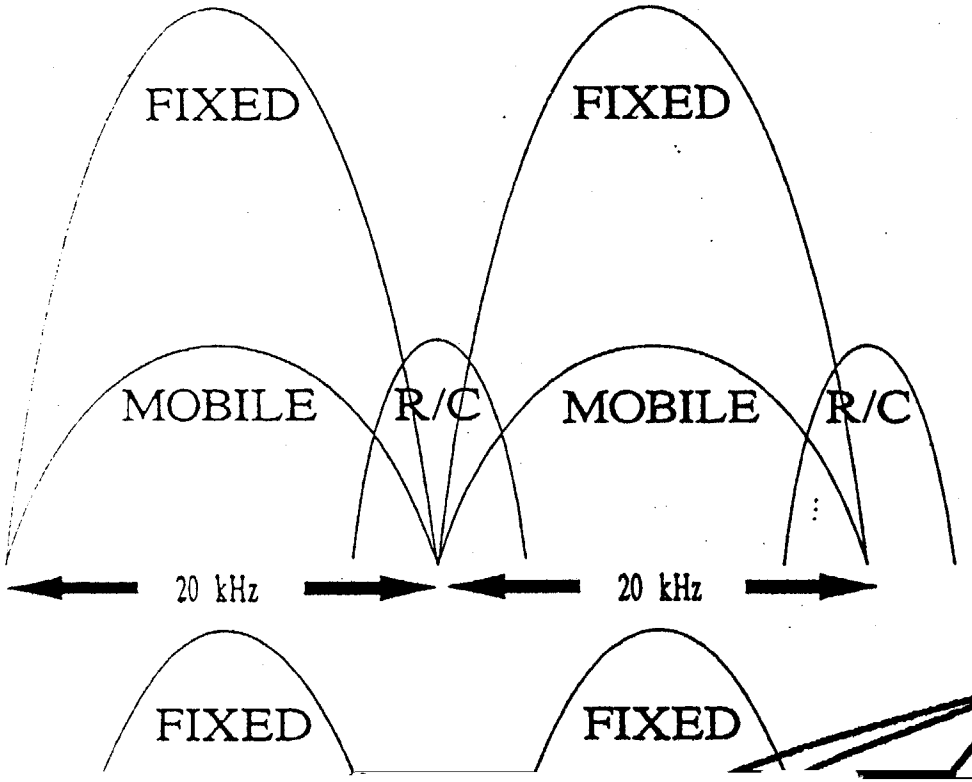
I hope I'm wrong, but this is how it comes across from Mr. Richard J. Shiben.

Thank you,

Yours sincerely,

John C. Kicks.
AMA#369172

Channel Splits



Current channels at 72-76 MHz

WHY DONT THEY ELIMINATE THESE ?

History File

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 82-486
32237

In the Matter of

Amendment of Parts 2, 21, 22, 81, 87, 90 and 95 of the Commission's Rules to provide additional spectrum between 72 and 76 MHz for the radio control of model aircraft, boats, cars and other similar devices.	GEN RM-3248	Docket 82-181

REPORT AND ORDER

Adopted: November 4, 1982 Released: November 9, 1982

By the Commission: Commissioner Rivera absent.

Introduction

1. On April 1, 1982 the Commission adopted a Notice of Proposed Rulemaking (Notice 1/) in Docket 82-181 to amend Parts 2, 21, 22, 81, 87, 90 and 95 of the Commission's Rules to provide additional radio channels for the radio control of model aircraft, boats and cars. This Notice was issued in response to a petition (RM-3248) from the Academy of Model Aeronautics Inc. (Academy) (November 17, 1978) requesting that the Commission provide additional spectrum for the radio control (R/C) of models. The Academy stated in its petition that additional spectrum is needed in order to cope with anticipated expansion in model activities during the next ten years, and to compensate for diminished use of six existing frequencies allocated to radio control between 26.96 and 27.41 MHz, 2/ which the Academy claims are nearly useless for radio control operations because of interference from the Citizens Band Radio Service which is also authorized in this band.

2. The only other spectrum currently available to the Radio Control Service is seven channels in the 72-76 MHz band; however, this use is secondary to operational fixed stations in the Industrial, Land Transportation and Public Safety Services as well as to low power land mobile stations in the Manufacturers Radio and Special Industrial Services. According to the Academy, in some cities, such as Houston, Texas and Tampa, Florida, only a few of the seven channels are available due to interference from high-power fixed station operations and this availability is expected to further diminish because the use of this spectrum by these other services is growing.

1/ Notice of Proposed Rulemaking in General Docket No. 82-181, adopted April 1, 1982, Released April 13, 1982 (47 FR 19187, 4 May 82).

2/ These are 26.995, 27.045, 27.095, 27.145, 27.195, 27.255 MHz. The latter frequency is shared with other services.

control of models by licensees in the Radio Control Radio Service 5/. (All operations in this band are subject to the condition that no interference is caused to the reception of signals of television channels 4 and 5.)

5. The Academy initially suggested that R/C be allowed use, on a secondary basis, of ten of the 72-76 MHz channels currently allocated to low power land mobile operations in the Special Industrial, Manufacturers and Railroad Radio Services along with eleven 'guard band' channels separating the Government and non-Government allocations between 30 and 42 MHz. This would have replaced the use of existing R/C service channels and provided for 20-25 additional channels for growth of the service over the next 10 years. The Academy also asked if additional spectrum might be found in the 222-224 MHz, the 450-460 MHz or the 900 MHz bands. The Academy requested channels for exclusive use by aircraft models, because model aircraft have a wider area of operation than surface models and coordination of model control activities among the same kinds of models is easier to achieve.

6. Additionally, the Academy submitted a Report on 72-76 MHz Radio Control Systems, on September 11, 1980, which was amended by a letter in July 1981. The report considered the viability of expanded radio operations on interlaced, 20 kHz channels in the 72-76 MHz band (i.e., 72.01, 72.03, 72.05 MHz, etc.) and the technical parameters of a workable 72-76 MHz assignment plan. The Academy recommended implementation of additional 72-76 MHz frequencies as follows:

(a) Model aircraft only: fifty 8 kHz channels, starting at 72.01 MHz and proceeding every 20 kHz through 72.99 MHz.

(b) Terrestrial models only: twenty-three 8 kHz channels, starting at 75.41 MHz and proceeding every 20 kHz through 75.85 MHz.

(c) Phase out existing seven 72-76 MHz frequencies within five years.

(d) Permit any type of emission to be used.

7. After the needs of the R/C community were examined, it was proposed in the Notice that eighty new channels be made available for the

5/ "NG56 The frequencies 72.08, 72.16, 72.24, 72.32, 72.40, 72.96, and 75.64 MHz may be authorized for low power (1-watt input) mobile operations in the Personal Radio Services for radio control of models subject to the condition that interference will not be caused to remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television stations operating on Channels 4 or 5. TV interference shall be considered to occur whenever reception of regularly used television signals is impaired or destroyed, regardless of the strength of the television signals or the distance to the television station."

interference then, Control Chief claims, if the R/C devices are operated close to an industrial plant.

11. In its reply comments the Academy states that the chance of interference to industrial low power devices from R/C devices is negligible. Aircraft models are not flown within several hundred feet of any obstructions, which means that an R/C transmitter would probably be several hundred feet away from any industrial plant containing a radio controlled crane or similar device, and would certainly be much further away from the device than the operator of the device. The Academy provides an engineering analysis which shows that this difference in distance along with the 10 kHz frequency offset from the 'even' channels used by the industrial control devices would prevent interference even in a "worst-case" where the flying field happened to be located adjacent to an industrial plant where radio control systems were being used. Further, it states that the signals which the two radio systems use are sufficiently different so that any interference from R/C devices would not cause the crane to malfunction. Furthermore, the Academy states there have

prevent the possibility of interference problems occuring. No comments were received indicating concern with interference to fixed operations.

19. On the question of interference to low power radio control devices for industrial operations, such as crane operation, it should be noted that the use of these control devices is limited to industrial plant sites. We concur in the Academy analysis that, because model aircraft are not flown near obstructions, there is likely to be substantial distance between R/C transmitters and industrial control receivers. 10/ Further, as the Academy noted, much model activity occurs outside of normal business hours. This, along with the 10 kHz frequency offset arising from the channeling plan, means that there is very little probability of harmful interference. 11/ We can also substantiate that there have been no reports to the FCC of interference caused by R/C devices operating on existing shared channels at 72 MHz as of the end of 1981.

20. There is also only a very slight potential for harmful

27. For further information regarding this Order, contact James Vorhies (202) 653-9097, or Donald Draper Campbell, (202) 653-8177.

FEDERAL COMMUNICATIONS COMMISSION

William J. Tricarico
Secretary

Further, the following frequencies may be authorized on a primary basis for mobile operations in the Special Industrial Radio Service, Manufacturers Radio Service, and Railroad Radio Service subject to the condition that no interference is caused to the reception of television stations operating on channels 4 and 5; and that their use is limited to a railroad yard, manufacturing plant, or similar industrial facility.

MHz	MHz	MHz	MHz	MHz
72.44	72.52	72.60	75.48	75.56
72.48	72.56	75.44	75.52	75.60

3. In Section 2.106, the text of non-Government Footnote 56 (NG56) is revised to read as follows:

\+ + + + +

NG56 In the bands 72.0-73.0 and 75.4-76.0 MHz, the use of mobile radio remote control of models is on a secondary basis to all other fixed and mobile operations. Such operations are subject to the condition that interference will not be caused to common carrier domestic public stations, to remote control of industrial equipment operating in the 72-76 MHz band, or to the

(b) * * *
(c) * * *

(d) Radio remote control of models is permitted on frequencies 10 kHz removed from these frequencies authorized for fixed and mobile operations in the 72-76 MHz band. Radio remote control operations are secondary to operation of fixed and mobile stations as provided for in this section.

\+ + + + +

E. Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended, as follows:

1. Section 87.463 is amended by revising paragraph (a) and adding paragraph (b) to read as follows:

§87.463 Frequencies available to fixed stations.

(a) The frequencies listed in this paragraph may be assigned under the conditions set forth in subparagraph (1) through (6) of this paragraph. These frequencies are available on a shared basis with the Land Mobile and Stations on Land in the Maritime Radio Services. (Stations authorized to operate in the band 73-74.6 MHz as of December 1, 1961, may continue to operate in this band and are not required to afford protection to the radio astronomy service.)

MHz	MHz	MHz	MHz
72.02	72.36	72.80	75.66
72.04	72.38	72.82	75.68
72.06	72.40 1/	72.84	75.70
72.08 1/	72.42	72.86	75.72
72.10	72.46	72.88	75.74
72.12	72.50	72.90	75.76
72.14	72.54	72.92	75.78
72.16 1/	72.58	72.94	75.80
72.18	72.62	72.96 1/	75.82
72.20	72.64	72.98	75.84
72.22	72.66	75.42	75.86
72.24 1/	72.68	75.46	75.88
72.26	72.70	75.50	75.90
72.28	72.72	75.54	75.92
72.30	72.74	75.58	75.94
72.32 1/	72.76	75.62	75.96

C. Part 95 of Chapter I of Title 47 of the Code of Federal Regulations is amended, as follows:

1. Section 95.216 (R/C Rule 16) is amended by revising paragraphs (a) and (b), and adding paragraph (e) to read as follows:

§95.216 (R/C Rule 16) On what channels may I operate?

(a)Your R/C station may transmit only on the following channels (frequencies):

Frequency (MHz)	To operate:
26.995 27.045 27.095 27.145 27.195 27.255	Any kind of device (any object or apparatus except an R/C transmitter).

75.65
75.67
75.69
75.71
75.73
75.75
75.77
75.79
75.81
75.83
75.85
75.87
75.89
75.91
75.93
75.95
75.97
75.99

* * * * *

(d) Your R/C station must stop transmitting if it interferes with:
(1) Authorized radio operations in the 72-76 MHz band; OR
(2) Television reception on TV channels 4 or 5.
(e) Authorization for the use of the following frequencies is withdrawn effective [5 years after the effective date of the rule change]: 72.08, 72.16, 72.24, 72.32, 72.40, 72.96 and 75.64 MHz

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3. Section 95.219 (R/C Rule 19) is amended by revising the section to read as follows:

§95.219 (R/C Rule 19) How much power may my R/C station use?

Your R/C station transmitter power output must not exceed the following values:

CHANNEL	TRANSMITTER POWER (carrier power)
27.255 MHz	25 watts
26.995-27.195 MHz	4 watts
72-76 MHz	0.75 watts

\+ \+ \+ \+ \+

§ 95.617 Emission limitations

(a) * * *

(b) The authorized emission bandwidth of any transmitter:

(1) In the Radio Control Service shall be 8 kHz unless single sideband modulation is used in which case bandwidth shall be 4 kHz;

(2) In the Citizens Radio Service, employing amplitude modulation, shall be 8 kHz for double sideband and 4 kHz for single sideband;

(3) In the General Mobile Radio Service, employing frequency modulation or phase modulation shall be 20 kHz.

§ 95.617 Emission limitations

(a) * * *

(b) The authorized emission bandwidth of any transmitter:

(1) In the Radio Control Service shall be 8 kHz unless single sideband modulation is used in which case bandwidth shall be 4 kHz;

(2) In the Citizens Radio Service, employing amplitude modulation, shall be 8 kHz for double sideband and 4 kHz for single sideband;

(3) In the General Mobile Radio Service, employing frequency modulation or phase modulation shall be 20 kHz.